

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

NORMAN E. LACEY

Plaintiff,

**v
CITY OF AUBURN,**

Defendant

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**CIVIL ACTION NUMBER:
06-cv-1145-MEF**

**NOTICE CONCERNING SETTLEMENT CONFERENCE AND
MEDIATION**

Comes now, the counsel for the plaintiff, and indicates that the parties discussed settlement, and more discussions will be forthcoming.

Settlement discussions are hampered by plaintiff counsel's logistical ability to communicate with his client. Mr. Lacey, a civilian contractor, is assigned to a forward operating base in Iraq. Communication is extremely difficult and limited as Mr. Lacey moves frequently between forward operating bases in the country.

Mediation would not be helpful as Mr. Lacey is unable to participate.

Respectfully submitted,

s/Lee Winston
Lee D. Winston
Attorney for Plaintiff

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of January, I caused a copy of the foregoing to be served via the Court's Electronic Filing System on the following:

Randall Morgan
Hill, Hill, Carter, Franco,
Cole & Black, P.C.
425 South Perry Street
Montgomery, AL. 36104

DONE this the 28 day of January 2008.

s/Lee Winston
Of Counsel